



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1123-R)

In the Application of:  
**Lin, et al.**

Serial No.: **10/667,696**

Filed: **September 22, 2003**

For: **Label-Free Methods for Performing Assays Using  
a Colorimetric Resonant Optical Biosensor**

Art Unit: 1641

Examiner: TBA

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

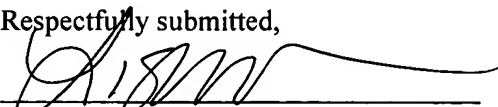
Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
  - a) third Supplemental Information Disclosure Statement PTO Form 1449;
  - b) 23 cited references;
  - c) Return postcard
2. With respect to fees:
  - a) It is believed no fee is due at this time.
  - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 19, 2004.

Date: November 19, 2004

Respectfully submitted,

  
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Lisa M.W. Hillman, Ph.D  
Registration No. 43,673



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(Case No. 00-1123-R)

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    **Lin, et al.** )  
 ) Art Unit: 1641  
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 ) Examiner: TBA  
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 )  
For: **Label-Free Methods for Performing Assays Using)**  
    **a Colorimetric Resonant Optical Biosensor** )

**THIRD INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-99, the applicants wish to make the following references of record in the above-identified application. Required copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

The Office has waived the requirement under 37 C.F.R. §1.98 (a)(2)(iii) for submitting a copy of the pending U.S. application that is stored in the USPTO IFW system. In accordance with this waiver, cited U.S. patent application publication marked with “\*” are not enclosed.

In judgment of the undersigned, portions of the listed references may be material to the Examiner’s consideration of the presently present claims. This statement is not a

representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§102 or 103.

Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. §1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

Respectfully submitted,

Date: 11/19/04

By:



**Lisa M.W. Hillman, Ph.D**

Reg. No. 43,673

**FORM PTO-1449**  
(Rev. 2-32)

**U.S. Department of Commerce**  
**Patent and Trademark Office**

**Atty. Docket No.**

00-1123-R

**Serial No.**

10/667,696

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE**

**STATEMENT BY APPLICANT**

(Use several sheets if necessary)



**Applicant:**

Lin, et al.

**Filing Date:**

September 22, 2003

**Group:**

1641

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	4,289,371	9/15/81	Kramer	350	3.71	5/31/79
	2.	6,748,138 B2	6/8/04	Wang, et al.	385	37	9/14/01
	3.	6,215,928 B1	4/10/01	Friesem, et al.	385	37	5/7/97
	4.	6,661,952 B2	12/9/03	Simpson, et al.	385	37	5/4/01
	5.	4,882,288	11/21/89	North, et al.	436	525	9/16/85
	6.	6,449,097 B1	9/10/02	Zhu, et al.	359	576	6/5/00
	7.	6,707,561 B1	3/16/04	Budach, et al.	356	521	7/5/00
	8.	6,128,431	10/3/00	Siminovitch	385	147	10/8/98
	9.	6,200,737 B1	3/13/01	Walt et al.	430	320	8/24/95
	10.	6,146,593	11/14/00	Pinkel et al.	422	68.1	7/24/97
	11.	6,185,019 B1	2/6/01	Hobbs et al.	359	30	5/14/99
	12.	5,768,461	6/16/98	Svetkoff, et al.	385	116	4/28/97
	13.	US 2003/0210396 A1	11/13/03	Hobbs et al.	356	416	10/30/01
	14.	5,631,171	5/20/97	Sandstrom et al.	436	518	5/31/95
	15.	5,629,214	5/13/97	Crosby	436	518	5/31/95
	16.	US 2003/0148542 A1	8/7/03	Pawlak et al.	436	518	5/25/01
	17.	4,240,751	12/23/80	Linnecke et al.	356	409	11/9/78

# FOREIGN PATENT DOCUMENTS

	Document Number								Date	Country	Class	Subclass	Translation	
													Yes	No
18.	9	9	5	4	7	1	4	28.10.99	PCT					
19.	0	0	2	9	8	3	0	25.05.2000	PCT					
20.	2	8	0	1	9	7	7	02.12.99	FR					
21.	2	3	9	5	3	1	8	15.02.2001	CA					
22.	2	3	9	4	9	6	6	15.02.2001	CA					
23.	0	3	2	6	2	1	9	24.01.89	EP					

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	24.	U.S. Serial No. 09/929,957, filed August 15, 2001*
	25.	U.S. Serial No. 09/930,352, filed August 15, 2001*
	26.	U.S. Serial No. 10/415,037 filed October 23, 2001*
	27.	U.S. Serial No. 10/399,940, filed October 23, 2001*
	28.	U.S. Serial No. 10/059,060, filed January 28, 2002*
	29.	U.S. Serial No. 10/201,818, filed July 23, 2002*
	30.	U.S. Serial No. 10/237,641, filed September 9, 2002*
	31.	U.S. Serial No. 10/277,908, filed August 26, 2002*
	32.	U.S. Serial No. 10/233,730, filed September 3, 2002*
	33.	U.S. Serial No. 10/180,374, filed June 26, 2002*
	34.	U.S. Serial No. 10/180,647, filed June 26, 2002*
	35.	U.S. Serial No. 10/253,846, filed September 25, 2002*
	36.	U.S. Serial No. 10/196,058, filed July 15, 2002*
	37.	U.S. Serial No. 10/667,696, filed September 22, 2003*
	38.	U.S. Serial No. 10/058,626, filed January 28, 2002*
EXAMINER		DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.